

CalRecycle Informal rulemaking scoping sessions: Stakeholder comments on conceptual regulatory changes to Form 303 from 2012 Household Hazardous Waste Information Exchange (HHWIE) meetings

San Bernardino HHWIE, August 22, 2012

Summary of Comment	Commenter (when identified)	Staff response	Change to regulation?
If a Non-lead agency hasn't collected any HHW on their own, they currently have to fill out a 303 form with all zeros. This seems like unnecessary busywork, especially since the lead agency has already done the HHW management and reporting. If you need contact info, that would occur through the lead agency anyways.	Linda Ceballos, Rancho Cucamonga	Staff agrees. As long as CalRecycle knows that a non-lead's collection data is being reported by a lead, it is unnecessary for the non-lead to submit an extra form.	§18751.2.2 (c)(3)
Please change the reporting dates to correspond to the same dates as other programs, like the AB 939, used oil, etc.	Cheri Taylor, PSC	Staff disagrees; Coordinating dates for all the reports would be impractical because they rely on different data sets which are subject to different timing constraints. Staff is also concerned that having multiple reports due at the same time would create a larger burden for local jurisdictions.	No
Can you change the reporting time period to CY instead of FY?		Staff believes that such a change might negatively impact the recordkeeping processes that jurisdictions use currently.	No

Sonora HHWIE, September 27, 2012

Summary of Comment	Commenter (not all are ID'd)	Staff response	Change to regulation?
If you want to make sure everyone has reported or been reported on behalf of, you don't need non-lead agencies to tell you who their lead is. All you need is for leads to say	Bill Pollock, Alameda County	Staff agrees.	§18751.2.2 (a)(2)(A)

who they are reporting on behalf of – this is what’s done for oil annual reports.			
Need to adjust the definition of “lead agency” so it also includes agencies that are independently managing HHW on their own but don’t manage it for anyone else. Current definition only specifies agencies that are collecting on behalf of someone else	Larry Sweetser	The requirements for lead agencies do not apply to agencies that are operating independently. Therefore, staff does not see a need to expand the definition of “lead agency.”	No
For paint and other product stewardship items, you could add a column to the disposition section labeled “Stewardship organization.” That way local government doesn’t have to worry about the disposition breakdown.	Elizabeth Rouan, San Mateo	Staff agrees.	§18751.2.3 (d)(8)
It’s confusing sometimes how one would define a “lead” vs “non-lead.” Three or more cities/counties may work together and cooperatively accept material from all the other jurisdictions - does this make them in effect all leads and non-leads for each other?	Sharon Simpson, Waste Management	That is correct. Staff notes that both lead and non-lead agencies are required to submit HHW data on the same form, and that both are subject to the same reporting requirements, with two key exceptions: <ol style="list-style-type: none"> 1. Lead agencies must tell CalRecycle who their non-lead agencies are 2. Non-lead agencies do not need to file a form 303 report if a lead agency has already reported all HHW collected on their behalf. 	No
Would appreciate greater clarity on what the “households” section on the form is meant to define. Some folks use the number of households specifically in their city/county. Others provide the number of households in their service area, because they provide service in a larger area beyond just their city. Can you clarify which we should use?	Cedar Kehoe, Elk Grove	Staff notes that the existing form states “Number of households in service area.” Jurisdictions first need to define their service area, and then determine household numbers from that. The proposed regulations do not change this.	No